

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

WILLIAM ROY STONE, JR. (01)

NO. 3:21-CR-236-E

**FORFEITURE THIRD-PARTY PETITIONER'S WAIVER AND WITHDRAWAL
OF PETITION (DKT. 224)**

1. On December 21, 2021, the grand jury charged William Roy Stone, Jr. by a superseding indictment. Stone was charged with conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349 (18 U.S.C. § 1343), in Count One. In addition, Stone was charged in Count Two through Count Seven with wire fraud, in violation of 18 U.S.C. § 1343. Stone was also charged in Count Eight with engaging in monetary transactions in property derived from specified unlawful activity, in violation of 18 U.S.C. § 1957(a). Finally, Stone was charged in Count Nine with false impersonation of a federal officer or employee, in violation of 18 U.S.C. § 912. *See* Superseding Indictment (Dkt. 26).
2. The superseding indictment notified Stone of the government's intent to forfeit property, including: The real property situated at 6812 Kennedy Drive, Colleyville, Texas, more specifically described at Lot 25, Block 12, Ross Downs Estates IV, an addition to the City of Colleyville, Tarrant County, Texas. ("Subject Property").

3. On or about September 23, 2016, Stone purchased the Subject Property for \$352,803.50.
4. On August 10, 2023, a jury found Stone guilty of Count One (conspiracy to commit wire fraud), Count Three through Seven (wire fraud), Count Eight (money laundering), and Count Nine (false impersonation of federal officer). (Verdict, Dkt. 156).
5. On September 15, 2023, the government filed a motion for preliminary order of forfeiture, which seeks the forfeiture of assets, including the Subject Property. (Dkt. 180). On October 27, 2023, the Court granted the Motion for Preliminary Order of Forfeiture, which included the Subject Property. (Dkt. 194).
6. On or about April 15, 2021, Stone took a loan on the Subject Property for \$306,000.00, Loan Number 505575497. The lienholder is Flagstar Bank, and the approximate current balance on the loan is approximately \$273,949.12 as of November 2, 2023.
7. On or around January 8, 2024, Flagstar Bank received funds from Stone to pay the loan in full. Therefore, Flagstar Bank no longer claims an interest in the Subject Property. Flagstar Bank/Mortgage Electronic Registration Systems Inc./Freddie Mac as Aspire Financial Inc. (collectively “Petitioner”) agrees to withdraw its petition at (Dkt. 224). The United States acknowledges that those funds paid by Stone to Flagstar Bank were due and owing according to the terms of the loan. The United States will not seek to recover the funds paid that were due to Flagstar

Bank and will only look to recover amounts received as Net Proceeds as defined in paragraph j. of the Interlocutory Sale Order at (Dkt. 236).

8. Each party agrees to bear its own respective costs and attorney's fees regarding forfeiture and disposal of this Subject Property.

Respectfully submitted,

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UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2024, a copy of the above and foregoing was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing has been forwarded to all counsel of record by operation of the Court's electronic filing system.

Via CM/ECF

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/s/ Thomas W. White, Jr.

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